

considers that this limitation exists twice in the claims applicant requests more precise explanation or references. If this limitation can not be recited in the claims at all, applicant is agreed that words "at least" are to be removed from claim 1, paragraph 3, line 10 (the Substitute Specification, page 8, line 25).

In connection with objection that claim 6 lacks proper antecedent basis applicant made an amendment to the Specification – (the Substitute Specification, page 3, lines 24-26).

Ad 4. and 5. of the Office Action Summary ( page 3 and 4)

In view of the objection made by Examiner referring to claim rejections as being unpatentable and obvious applicant clarifies main differences between relevant documents cited in Notice of References Cited – Form PTO- 892:

- A US-4,705,264 of 11-1987 – Hawkins et al., (in following text: A)
- B US-6,322,061 of 11-2001 – Maser et al., (in following text: B)
- C US-1,812,585 of 06-1931 - COOLINS JAMES G (in following text: C)
- E US-2003/0062663 a1 of 04-2003 – Fox, Robert (in following text: E)

and documents:

- D US-7,237,758 of 07-2007 - Nikolic, Ljubomir (in following text: D)
- F US-2007/0170628 a1 of 07-2007 – Nikolic, Ljubomir (in following text: present invention),

and explains that the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would **not** have been obvious at the time the invention D or present invention were made to a person having ordinary skill in the art to which said subject matter pertains, as follows:

Firstly applicant observes differences in documents A, B, C and E referring to documents D and the present invention individually and on the whole afterwards.

1.a. Main differences between the inventions C and D

Invention C having tow supports (2,3) both stationary; invention D including tow supports (7,17) one of which is movable by a foot (13) to vary distance between supports (7,17).

A pair of carriers of C each formed from clamp head (4) with trunnion (41), clamp (5) provided with a series of parts (fig 3), cross bar (6) formed from two bars held by blocks (61) to form adjusting slot (62), clamp (7) provided with a series of clumps, gear (8) on upper end of the support (3) and formed from more parts.

Document D including a pair or carrier assemblies (20) including rotatable and adjustable arms (21) being tubes threaded through horizontal tubes (9,18) to adjust distance between supports (7,17) and engine and having a plurality of holes (22) aligned in parallel circles along the length of the arms (21), one end of the arms staying free; connecting members (23) as connection between other ends of arms and

carrying plats (24) provided with a plurality of holes (25) , handles (26) to be adjustably connected to carrying plates (24) and set of adapters (34).

All features between those inventions are completely different in their function, form, construction, way they are mounted into the stand.

Invention C, as most known devices, secures engine to two engine sides what disables or substantially hinders access to bolted sides of engine, it can not holds gearbox.

Invention D allows an operator clear access to every side of engine without previous removal of certain parts therefrom, capable to hold gearbox.

Invention of C is quite complex and includes relatively expensive mechanisms requiring consumption of material; invention D is more economical, easily assembled and disassembled, simple and practical solution.

#### 1.b. Main differences between the invention C and present invention

Main features of C are described above.

Present invention is an improvement of the invention D. At the time of filing present invention document D was an international patent application in international phase and for that it is indicated in the Specification – Background Art of the present invention as filed as prior art under no. PCT/IB02/03439. Now it is a patent as indicated in the Form PTO-892 under D and this data is added in the amendments to Specification of the application of present invention (the Substitute Specification, page 1, lines 24-25).

Present invention discloses tow assembly: a carrier means (35) and a crib (49).

Carrier means (35) including two pars of bolts (36) fixed to the existing arms(21), a pair of adjustably connecting means (37) including a slot to receive the bolts (36) and fixed by one end to carrying plates (24) having a plurality of holes (39) in the lower part and a slot (40) along the length of the upper part, a bar means (41)having two slots (42) to be adjustably connected to the carrying plates (24), a handle (45).

All features between those inventions are completely different in their function, form, construction, way they are mounted into the stand.

Present invention holds engine to its rear side from three direction enabling access to all engine sides, capable to hold gearbox what is not the case with invention C what is mentioned above.

The crib (49) is the assembly which serves as a support for previously on the stand mounted and afterwards released engine to keep engine from falling down while the rear engine plate is to be removed from engine.

Invention C has not any features even similar as the crib having neither by construction, form, purpose or any other way. For that disclosed features of the crib assembly are not described with more details.

#### 2.a. Main differences between the inventions A and D

Invention A discloses a stand having a carrier plate and an arm with at least one hole – feature C (fig.3).

Invention D, as stated above, having two arms (21) provided with a plurality of holes (22) aligned in parallel circles along the length of the arms (21).

The hole in arm of feature C of the invention A serves to rotate feature C, not to secure engine position. This invention secures engine position by fastener (22) threaded through the hole into support member (21).

The holes (22) in arms (21) of the invention D serve to secure engine in desired angle in relation to the supports.

Other main differences between those inventions are described in Specification of the document D, column 1, lines 12-26.

### 2.b. Main differences between the inventions A and present invention

Main features of the invention A are described above.

Main features of the present invention are described under “1.b. Main differences between the invention C and present invention “

Arms (21) are not the subject of disclosure of the present invention, arms (21) are included in claim 1 as the part of prior art (of document D).

Invention A has not any features as the carrier means or crib of present invention include neither by construction, form, purpose or any other way.

### 3.a. Main differences between the inventions B and D

Invention B discloses a device having a pair vertical supports formed from rectangular arms (24) fixed (preferably welded) by lower ends to supports (25) and bars (36) provided with a plurality of vertically evenly spaced holes (37). Bars (36) being by lower ends inserted into free upper ends of the arms (24) for height adjustment and secured by upper ends to a bottom of the tube rest (32).

Invention D disclosed rotatable and adjustable arms (21) being tubes threaded through horizontal tubes (9,18) to adjust distance between supports (7,17) and engine and having a plurality of holes (22) aligned in parallel circles along the length of the arms (21) to secure desired angle position of engine, one end of the arms staying free, other end connected with connecting members (23) (patent US column 6, line 66-67; column 7, lines 1-3; column 7, lines 5-9; column 8, lines 1-14).

By the comparison of the inventions B and D may be conclude that support arms (24) for bars (36) of B are rectangular sleeves, supports (9,18) for arms (21) of D are tubes; features (36) of B are the bars, arms (21) of D are tubes; arms (24) with bars (36) of B are positioned vertically, support tubes (9,18) with arms (21) of D are positioned horizontally; bars (36) of B are can just slide up-down, arms (21) of D can slide right and left side and rotate; a plurality of holes (37) into bars (36) of B are spaced vertically evenly, a plurality of holes (22) of D aligned in parallel circles along the length of the arms; the holes into bars (36) of B serve for height adjustment, the holes into arms (21) of D serve to adjust horizontal distance between supports (7,17) and engine and to secure desired angle position of engine; both ends of bars (36) and both ends of arms (24) of B being connected, both ends of tubes (9,18) and one ends of the arms (21) of D staying free, other ends of arms (21) are connected.

Differences between arms (24) with bars (36) of B and arms (21) of D are in construction, form, purpose, function, positions, way they are mounted into the stand.

### 3.b. Main differences between the inventions B and present invention

The invention B is described above.

As above said that the arms (21) are not the subject of disclosure of the present invention, they are included in claim 1 as part of prior art (of document D).

In case the objection to obviousness refers to present invention having a plurality of holes into L shaped bars (50) of crib assemblies (49) applicant explains differences between the two above inventions.

By the comparison of the inventions B and the present invention may be concluded that support arms (24) of B having rectangular sleeves with a hole (26) and telescopically connected with bars (36) having a plurality of holes (37), while L-shaped bars (50) of the present invention are angle profiled having in each side a plurality of holes (51,52); a plurality of holes (37) into bars (36) of B are spaced vertically, a plurality of holes (51,52) into L shaped bars (50) of the present invention are defined horizontally (Fig 4); the holes into bars (36) of B serve for height adjustment, the holes (51) of L shaped bars (50) of the present invention serve to adjustably engage the bolts (36) and to fix the crib (49) on the arms (21), the holes (52) of L shaped bars (50) of the present invention serve to adjustably engage the bolts (53).

The arm (24) and bar (36) of B are firmly fixed by low and upper end respectively on the stand. Both ends of L-shaped bars (50) of present invention are free.

Also see above under "1.b. Main differences between the invention C and present invention", last paragraph.

Differences between arms (24) and bars (36) of B and L shaped bars of the present invention are in construction, form, purpose, function, positions, way they are mounted into the stand.

#### 4. Main differences between the inventions E from one side and D and present invention from other side

Invention E discloses a stand capable of varying distance between two supports by telescopic base (15) including wheels (32) and secure engine for both ends by two plates (36,54).

Invention D securing engine to the rear side and varying distance between two supports by the column (17) and sliding foot (13) without varying the width of the base (1) and independently of wheels (6).

Present invention securing engine to the rear side from 3 directions. Invention E does not include anything like crib assembly is.

Differences between above inventions are in construction, form, function, positions disclosed features and in the way they are mounted onto the stand.

5. From explanation given in the view above it can be concluded that the differences between main features of the invention D or present invention compared with main features of invention A, B, C and E, are in their construction, form, function, position, purpose, way they are mounted onto stand such that compared features of the invention D or present invention are sufficient improvements and modifications of prior art and could not be considered as the equivalents or substitutes for known elements or as obvious.

6. Observing cited documents A, B and C could be concluded that an arm with at least one hole (C and fig 3) of invention A, an arm (bar) 36 with a plurality holes (37) of invention B and the features of invention C are so different in their construction, function, position, form, purpose such that a combine of mentioned features A and B if would be included in the stand C as a part or as a substitute of the carriers of the stand C could not give expected result and reach the purpose of any of the stands.

Even that above mentioned combine is possible, observing all cited documents as a whole in connection with objection stated in Office Action Summary, pages 3 and 4 under 4. and 5., it can be concluded that the differences between invention D and/or present invention and a combine of an arm with at least one hole (C and fig 3) of invention A and an arm (bar) 36 having a plurality of holes (37) of invention B which is combine with invention C to substitute an arm of invention A and a plurality of holes of invention B are such that the combine could not be considered as the substitute for technical solutions neither for invention D nor for present invention (arms (21) of invention D having a plurality of holes (22) aligned in parallel circles along the length of the arms (21) to secure desired angle position of engine; L-shaped bar(50) of the present invention angle profiled having into each side a plurality of holes (51,52) defined horizontally (Fig. 4), the holes (51) serve to adjustably engage bolts (36) and to fix the crib (49) on the arms (21) ), the holes (52) serve to adjustably engage the bolts (53);).

Technical solutions arms (21) of the invention D and bars (50) present invention are sufficient modifications and include substantial improvements over the combine described in the Office Action Summary (page 3 and 4. under 5.) and would not be considered as the equivalents or substitutes for known elements.

Therefore the differences between of the invention D and/or present invention and a combine of prior art A, B and C, as described in the Office Action Summary (page 3 and 4. under 5), are such that the invention D and/or present invention as a whole would not been considered as obvious and predictable to a person having ordinary skill in the art at the time of the inventions D or present invention.

Present invention is an improvement of the invention D.

7. To mention that the documents A, B, C and E already have been subject of comparison during examination and evaluation of patentability of the invention D by US PTO (see US Patent No. 7,237,758 B2 under (58) Filed of Classification Search).

8. If US PTO has further objections, applicant requests more precise reference regarding present application to which possible objections are referred.

Applicant also requests, in the case of next objections, for help and suggestions for correction particularly form of amendments as much as the US Patent law and other rules permit.

Applicant

*Nikolic Ljubomir*  
Ljubomir Nikolic